

Chapter 16.15 JBOZ JORDANELLE BASIN OVERLAY ZONE

Section 16.15.07 Resort Specially Planned Area (RSPA).

Density for Resort Specially Planned Areas (RSPA), meeting the requirements set forth below, shall be determined by an approved Preliminary Plan and implemented through Implementation Guidelines and Standards approved by the County. (See Appendix 6)

(1) Purpose. The purpose for an RSPA is to allow flexibility and creativity in the effective use of land, density, amenities, mixed uses, site layout and project design. Specific densities, height limitations, parking requirements, setbacks and other requirements of the JBOZ and other provisions of this Title may be amended or modified as necessary to accommodate the details of the proposed Master Plan. Upon combining the RSPA with an existing zone, variations from the development standards of such underlying zone may be permitted provided the variations are specifically adopted as part of the approved Implementation Guidelines and Standards. The variations from the density determination or underlying zone shall only be considered for the purpose of leading to a better design and functionality of the resort.

(2) Prerequisites. In order for an RSPA application to be accepted and processed by the County, the following threshold requirements must be satisfied:

- (a) The property to be included in the RSPA must contain at least eighty (80) acres.
- (b) The property must incorporate within its boundaries, or be immediately adjacent to, a “major resort feature,” which may be a ski resort, golf course with at least eighteen (18) holes, marina, or other recreational facility designated by the County as a “major resort feature”.
- (c) The property must incorporate mixed uses including at least six (6) of the following: condominiums, hotels, timeshares or other shared-ownership products, private residence clubs, townhomes, single-family homes, retail shops, recreational facilities, restaurants, and resort related commercial enterprises. The intention of this provision is that each project shall have a commercial/retail component.
- (d) The application must be executed by, or submitted pursuant to the written authorization of, owners of land comprising at least sixty six and sixty seven hundredths (66.67) percent of the total number of ERUs allocated to all of the land included in the proposed RSPA. The applicant shall have the option of modifying the area of the proposed RSPA following the submission of an application if necessary to satisfy the foregoing requirement, or if determined by the County and the applicant to be beneficial to the planning of the RSPA. The RSPA shall not be binding upon any particular property owner not executing or authorizing such application unless such owner later submits the property to the RSPA by written notice to the county, and agrees that such property shall be subject to the Implementation Guidelines and Standards of the RSPA.

(3) Review and Approval Process. The process for review and approval of an RSPA shall be the process set forth in Section 16.15.22 (1)(3) and (7) hereof, subject to the following:

- (a) The items listed in subparagraphs (j - y) of Section 16.15.22(3) shall not be required for review of the RSPA, but shall be required in connection with the review and approval of each specific project to be developed within the RSPA.
- (b) The applicant shall submit with its Preliminary Plans detailed Implementation Guidelines and Standards, setting forth the vision and objectives for the RSPA, the land use plan, proposed densities, zones within the RSPA, permitted uses, infrastructure plan, amenities plan, architectural and design guidelines and other confirmation deemed necessary and appropriate by the Planning Director for the review of proposed RSPA.
- (c) If, at the hearing before Planning Commission described in Section 16.15.22(7)(b), the Planning Commission approves the RSPA Plan a recommendation will be issued to the Legislative Body to establish the RSPA and adopt the Implementation Guidelines and Standards related thereto.

(d) If, at the hearing before the Legislative Body described in Section 16.15.22(7)(e), the Legislative Body approves the RSPA Plan, the County Legislative Body shall approve and establish the RSPA, and shall approved and adopt the Implementation Guidelines and Standards for the RSPA, subject to any conditions which the County Legislative Body may adopt in connection with such approval. Following such approval, the Implementation Guidelines and Standards shall govern the development of all property within the RSPA. All projects proposed for development within the RSPA shall comply with the RSPA Implementation Guidelines and Standards, and shall be processed in accordance with the provisions of Section 16.15.22 of the RSPA.

(4) Standards for Approval. Before an RSPA is designated and approved for any area, the Planning Commission and County Legislative Body shall determine the following:

- (a) That there are substantial benefits to be derived by the general public in the County from adoption of the RSPA.
- (b) That there are unique circumstances with respect to the property and proposed master plan that justify the use of the RSPA.
- (c) That the proposed RSPA furthers the goals and objectives of the Jordanelle Basin Land Use Plan.
- (d) That approving the RSPA will not adversely affect the public health, safety, and general welfare.

(2004-26, Amended, 11/17/2004, [Prior Text](#))